IN THE HIGH COURT OF JUDICATURE
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE J.CHELAMESWAR
and
THE HON'BLE MR JUSTICE D.APPA RAO

WRIT PETITION NO :22156 of 2006

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Dated: 26th October 2006.

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Between:

Mohd. Sayyad,
S/o Mohd. Haji Saheb

..... PETITIONER

AND

The Secretary, Regional Transport Officer, Rangareddy East at Uppal and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE J.CHELAMESWAR
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

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W.P.NO.22156 OF 2006

ORAL ORDER:
(Per the Hon'ble Sri Justice J.Chelameswar)

This writ petition is filed with the prayer as follows:

> " For the reasons set forth in the accompanying affidavit it is prayed that this Hon'ble Court may be pleased to issue a Writ, Order of direction, especially, one in the nature of Writ of Mandamus declaring the seizure of the petitioner's vehicle bearing No.AP 29T 0875 vide vehicle check report No.1261774 dated 11.10.2006 is illegal and arbitrary and consequently direct the respondents to release the petitioner's vehicle bearing No.AP 29T 0875 immediately and pass such other order or orders as this Hon'ble court may deems fit and proper in the circumstances of the case."

The petitioner claims to be the owner of the vehicle bearing No. AP 29T 0875. The said vehicle was checked by the 2nd respondent on 11-10-2006 and found the following irregularities as per the check report:

> " 1. Without AP Tax; 2) Without driving license. 3) without I/C, 4) without fitness certificate, 5) without proof of tax payment."

He, therefore, passed an order of seizure, pending enquiry into the various irregularities mentioned above.

Hence, the present writ petition.

Heard the learned Government Pleader for Transport.

In the circumstances, we are of the opinion that the matter can be disposed of at this stage directing the respondents to release the abovementioned vehicle on condition of the petitioner paying the entire amount of tax due and to be determined by the 1st respondent, without prejudice to the authority of the respondents to conduct any enquiry into the matter, in accordance with law and pass an appropriate order thereafter.

With the above direction, the writ petition is disposed of at the stage of admission.

J.Chelameswar, J

D.Appa Rao, J

Note:
Issue copy by today.
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mrk
26th August 2006